

September 14, 2020

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Mail Code: 1101A
Washington, DC 20460

Dear Administrator Wheeler,

The undersigned organizations encourage the Environmental Protection Agency (EPA) to provide a timely and prudent decision on the future availability of a vitally important crop protection tool to Tennessee farmers, dicamba. Farmers will soon be making planting decisions for 2021 and thus ordering seed and crop protection platforms. We urge EPA to swiftly announce the re-registration decision and issue multiple-year registrations for the dicamba products XtendiMax, Engenia, and FeXapan. Respectfully, we also request the labeling requirements to be simple, clear, and understandable.

The decision by the Ninth Circuit Court of Appeals presented serious challenges to farmers who were in the height of the growing season. Likewise, we understand the complex dilemma for your agency whose authority was challenged by this decision. Navigating the re-registration process through the scientific data review requirements while also addressing the labeling and other provisions at the core of the Ninth Circuit ruling in a manner to avoid similar, future legal challenges is no doubt difficult. We encourage EPA to remain steadfast in carrying out the duties it was tasked with by Congress through the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Based on 2018 national cash receipts by commodity, Tennessee ranks 10th in cotton production (\$267.8 million; 3.3% of U.S. total) and 16th in soybean production (\$697.9 million; 1.8% of U.S. total). USDA's *June 30 Acreage Report* indicates Tennessee farmers planted 1.6 million acres of soybeans and 350,000 acres of cotton. A majority of these crop acres are planted to herbicide-tolerant varieties designed to effectively control weeds, which compete with crops for water, sunlight and nutrients in the soil.

Without effective weed control, crop yields are drastically reduced. As Palmer amaranth populations in Tennessee increase, it is imperative dicamba and similar technologies are available throughout the growing season. Our nation's food production capacity is dependent upon the availability of affordable, effective production tools.

Data shows Tennessee farmers have overwhelmingly incorporated recommended precautions to protect their crops and their neighbors' crops when using dicamba. Only 14 complaints regarding the product have been submitted to the Tennessee Department of Agriculture in 2020. Our state takes great pride in the Pesticide Safety and Education Program offered by the University of Tennessee Institute of Agriculture and our applicators understand effective weed control involves using a variety of modes

of action to address and avoid resistance, including the over the top use of dicamba products.

We appreciate EPA's efforts to offer a rational solution to the difficult situation in which farmers find themselves after the Ninth Circuit Court of Appeals' vacatur of registrations for certain dicamba products. We urge you to consider all available resources to make an expedient decision in favor of new labels for these crucial products.

Sincerely,

Tennessee Farm Bureau Federation
Tennessee Department of Agriculture
Tennessee Farmers Cooperative
Tennessee Soybean Association
Tennessee Corn Growers Association
Tennessee Corn Promotion Council
Tennessee Feed and Grain Association
Tennessee Agricultural Production Association
River Valley AgCredit